

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 16, 2005. Claims 1 to 86 and 138 to 153 are pending in the application, of which Claims 1 to 86, 138, 142, 146, 150 and 152 are independent. Reconsideration and further examination are respectfully requested.

As an initial matter, Applicant thanks the Examiner for the indication that Claims 1 to 86 are allowed.

Claims 87 and 96 were rejected under 35 U.S.C. § 251 as being an improper recapture of broadened claimed subject matter surrendered in the application for the patent upon which the present reissue is based. Without conceding the correctness of the rejection, Applicant has canceled Claims 87 to 137 without prejudice or disclaimer of subject matter. Applicant respectfully requests withdrawal of this rejection as the rejection is now moot.

Claims 87, 91 to 96, 100 to 105 and 109 to 113 were rejected under 35 U.S.C. § 102(a) over U.S. Patent No. 6,151,222 (Montejo). Claims 88, 97 and 106 were rejected under 35 U.S.C. § 103(a) over Montejo in view of U.S. Patent No. 5,301,262 (Kashiwagi). Claims 89, 90, 98, 99, 107, 108, 114, 115, 118, 119, 122 and 123 were rejected under 35 U.S.C. § 103(a) over Montejo in view of U.S. Patent No. 5,341,363 (Hirasawa). Claims 116, 117, 120, 121, 124 and 125 were rejected under 35 U.S.C. § 103(a) over Montejo in view of Hirasawa, and in further view of U.S. Patent No. 5,355,490 (Kou). Claims 126 to 129 and 130 to 137 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,559,958 (Farrand) in view of U.S. Patent No. 3,988,719 (Whitby). As Applicant has canceled Claims 87 to 137 without prejudice or disclaimer of

subject matter, Applicant respectfully requests withdrawal of these rejections as the rejections are now moot.

Claims 138 to 153 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,172,244 (Nakahara) in view of U.S. Patent No. 4,905,098 (Sakata). Reconsideration and withdrawal of these rejections are respectfully requested.

Claim 138 as amended now recites an output control apparatus operable to communicate with an information processing apparatus via a network, comprising a print update means, a trouble update means and a transmission means. The print update means updates a print count value indicating a number of prints in response to delivery of a print sheet printed. The trouble update means updates a trouble count value indicating a number of print troubles when a print trouble occurs. If the print count value updated by the print update means reaches a predetermined value, the transmission means transmits trouble data including the trouble count value updated until the print count value reaches the predetermined value to the information processing apparatus such that the information processing apparatus recognizes the trouble count value indicating the number of troubles updated until the print count value reaches the predetermined value at the output control apparatus.

A feature of the present invention is in the print update means for updating a print count value indicating a number of prints, the trouble update means for updating a trouble count value indicating a number of print troubles, and the transmission means for, if the print count value updated by the print update means reaches a predetermined value, transmitting trouble data including the trouble count value updated until the print count value reaches the predetermined value to the information processing apparatus. This

structure allows the information processing apparatus to recognize the trouble count value indicating the number of troubles updated until the print count value reaches the predetermined value at the output control apparatus.

In contrast, Nakahara discloses a digital copier having a single scanner and a plurality of plotters which are physically independent of each other. When a copying operation is inhibited due to a jam or similar trouble or the exhaustion of papers, a signal representative of such a condition is fed to the operation board 50 (of FIG. 1) to be displayed on a display section 504 (of FIG. 6). In this case, the plotter select display 506 (of FIG. 6) will glow in red. In addition, the digital copier continues a process of reading data from an original document even during an error recovery process. However, Nakahara fails to disclose updating a trouble count value indicating a number of print troubles when a print trouble occurs. As Nakahara fails to disclose updating a trouble count, Nakahara cannot be said to disclose transmitting trouble data including the trouble count value if the print count value updated by the print update means reaches a predetermined value.

In addition, Sakata discloses a copier with an optional facsimile mechanism. The copier includes a counter that counts the number of print out processes for facsimile data, and a number of copy processes performed in a copy mode. Sakata further discloses that these counters are "operable as a jam counter or the like." However, Sakata fails to disclose how the counters are used to count jams. In addition, Sakata is entirely silent on transmitting trouble data including the trouble count value if the print count value updated by the print update means reaches a predetermined value.

Therefore, Nakahara and Sakata, neither alone nor in combination, neither disclose nor suggest at least the features of two types of count updating, for example a

print update and a trouble update, and transmitting, if a print count value updated by a print update reaches a predetermined value, trouble data including a trouble count value updated until a print count value reaches a predetermined value.

In light of the deficiencies of Nakahara and Sakata as discussed above, Applicant submits that amended independent Claim 138 is now in condition for allowance and respectfully requests same.

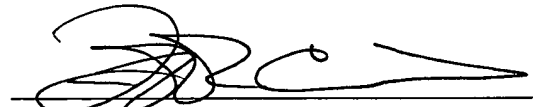
Amended independent Claims 142, 146, 150 and 152 are directed to a method, memory medium storing computer-executable code, a system and a method, respectively, substantially in accordance with the apparatus of Claim 138. Accordingly, Applicant submits that Claims 142, 146 150 and 152 are also now in condition for allowance and respectfully requests same.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed allowable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the allowability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

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